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## *‘Forgotten Europeans’: Transnational Minority Activism in the Age of European Integration*

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Post-war processes of European integration have carried significant implications for how states and societies interact to shape international politics (Risse-Kappen 1995). With governments having displayed – until recently – a growing readiness to devolve power both upwards and downwards since 1945, new space has been opened up for transnational social movements working in various fields (environmental protection, public health, human rights, non-discrimination, and others) that are today routinely associated with ‘positive conceptions of what justice and democracy require’ (Bauböck 2000: 12-13). Consequently, non-governmental actors, long ignored by political scientists as ‘not powerful in the classic sense of the term’, have started to be viewed as ‘important sources of new ideas, norms, and identities in the international system’, capable not only of influencing policy outcomes, but also of transforming the terms and nature of debate (Keck and Sikkink 1998). Indeed, the 2007 Lisbon Treaty of the European Union directly acknowledged the importance of transnational societal activism through its introduction of a new mechanism for ‘direct democracy’ in the form of the European Citizens Initiative (ECI).<sup>1</sup>

Yet, the plethora of studies produced in this area over recent years has so far conspicuously overlooked the work of transnational social movements lobbying for stronger international legal guarantees of minority rights.<sup>2</sup> The current article addresses this gap by analysing the activity of two interlinked transnational minority coalitions – the interwar European Nationalities Congress (ENC, 1925-1938) and the present-day Federal Union of European Nationalities (FUEN, estd. 1949). Most existing accounts of these organisations reflect a still-dominant view of ethnically-based mobilisation as inherently particularistic, inimical to stability and integration, and thus not a transnationalism that promotes "good" causes (Risse-Kappen 1995: 4). Recalling that ENC was ultimately subverted by Nazi currents

amongst German minorities, historical studies typically start from the 1930s and work backwards, characterising this organisation as a body where “national interests and not common interests of minorities as such formed the true basis of membership” (Arendt 1951: 274). In this regard, the central role played by German minorities has encouraged the view that, from the very outset, ENC was never more than a Trojan horse for revisionist nationalism (Bamberger-Stemann 2000). The 1930s have in turn cast a long shadow over the ENC’s self-professed successor FUEN, an umbrella for ethnic groups in Europe encompassing today 90 member organisations in 32 countries. Very few people, however, will be familiar with its name, while existing studies often portray FUEN’s activism as an unwelcome reminder of one of the darkest chapters in human history (Salzborn 2005).

The current article refutes this wholly negative characterisation. Based on extensive archival research, it demonstrates that during the mid-late 1920s, ENC embodied a genuine transnationalism serving as a rallying point for a group of democratically-minded political activists whose programme anticipated contemporary principles of liberal pluralism, multiculturalism and interculturalism. Well ahead of their own time, these activists were also far-sighted advocates of supranational European integration. Yet, their contribution in this area is also overlooked, leading one author to characterise them as ‘forgotten Europeans’ (Hiden 2004: 250). It is in light of the 1920s, we argue, that one should view the continuity between ENC and FUEN, an organisation which has embraced principles of pluralist democracy and European unity.

The longevity of the transnational minority rights activism embodied by ENC and FUEN highlights the perennial challenge of accommodating ethno-cultural diversity faced by practically all European states, as well as the continued failure to develop a robust international minority rights regime to which all states should adhere.

ENC, for instance, arose in response to the first concerted effort to internationalise minority rights, at a time when the creation of new national minorities in the successor states of Central and Eastern Europe placed ethno-political issues at the very centre of the international agenda. Minority Treaties provided for non-discrimination on ethnic grounds and recognition of minority cultures, establishing a system of minority protection under the League of Nations (LoN). The overall failure of this effort, and the subsequent horrors that befell Europe discredited the very concept of minority rights, which was almost entirely marginalised within the post-1945 international order. The architects of this order believed that universal guarantees of individual human rights would serve to deliver equality and dignity for all, majorities and minorities alike. Ethnic identities and ethnic-based claims within nation-states were expected to disappear as part of the onward march of modernisation.<sup>3</sup> The formation of FUEN as early as 1949 gave lie to this assertion, which was further undermined by a new surge of “mobilised communalism” in Western societies from the early 1960s and – definitively - by the revival of minority claims in Central and Eastern Europe following post-1989 democratisation (Young 1983).<sup>4</sup>

The latter development in particular hastened efforts to create new minority rights standards that had already begun to take shape during the 1980s through the Human Dimension of the Conference on Security and Co-operation in Europe (Burgess 1999). The subsequent period has brought significant progress in this area, above all through the creation of the post of High Commissioner for National Minorities at the OSCE, the drafting of the Council of Europe (CoE) Framework Convention for the Protection of National Minorities (FCNM) and the inclusion of ‘respect for and protection of minorities’ amongst EU membership criteria in 1993.<sup>5</sup> Documents produced by international organisations working in this field have been able to draw upon existing examples of good practice within Western democracies, which have gradually moved towards a more liberal pluralist conception of political community. Within

this international context, FUEN was – after four decades of concerted lobbying – finally granted consultative status at CoE (1989) and the United Nations (1995), as well as later becoming a participant in the Fundamental Rights Platform maintained by FRA.

For all of this, however, current international minority rights norms have not gone beyond ‘minimum standards’ that are ‘ambiguously formulated’, reflecting the interplay of different state actors with different agendas (Dembinska *et al.* 2014: 356; Kymlicka 2008:44). In the area of cultural reproduction above all, states have zealously guarded their sovereignty, even as they have devolved it in other areas (Csörgő 2007; Vizi 2014). There is a by now well-established scholarly tradition presenting minority rights as a logical extension of liberal democracy and a broader framework of human rights (Kymlicka 1995, 2001; Miller 1995, 2000; Nimni *et al.* 2005; Nimni 2008; Parekh 2000; Stroschein 2015; Tamir 1993). All the same, the worldwide resurgence of ethnically-based activism over the past five decades is still frequently cast as a “subversive tendency challenging the dominant architecture of the [nation-] state system” (Bauböck 2000: 12-13).<sup>6</sup> The catastrophic events of the 1930s, when minority issues were hijacked by the Nazis, and the more recent ethnic conflicts in parts of the former Socialist bloc (above all, in former Yugoslavia) have reinforced a view of minorities as an anomaly within the modern state system, to be considered primarily through the lens of security.

FUEN has, since its inception, sought to turn this argument on its head. Framing the minority question in terms of democracy and social justice, it argues that by accommodating the diverse identities of all their inhabitants, states enhance rather than undermine their security, integrity and cohesion. FUEN emerged in direct response to the establishment of the CoE and the dawn of the post-war European federalist movement, both of which aimed to rebuild, on democratic foundations, a continent shattered by extreme nationalism. FUEN insists that minority communities should have an autonomous collective voice in this process.<sup>7</sup> It has

welcomed the renewed international attention given to minority rights since the early 1990s. However, FUEN characterises the instruments adopted over the past 25 years as an effort to “buy off” minority claims in the interests of states, rather than a genuine attempt to extend the EU’s motto of “united in diversity” to encompass all of its cultures.<sup>8</sup>

Revisiting the longer-term development of transnational activism is both necessary and timely given FUEN’s recent deployment of the ECI mechanism to submit proposals for a ‘Minority Rights Safepack’ that calls for new Commission directives obliging member states to enact firmer legal guarantees in this area. The Commission initially rejected the Initiative, but this decision has since been successfully challenged through the European Court of Justice, and the process of collecting one million signatures began in June 2017. Regardless of the eventual outcome, this initiative has already served to increase the visibility of transnational minority rights activism. In what follows, we trace the background to the ongoing transnational campaign for an enhanced European minority rights regime. We begin by exploring the founding ideals of ENC, before showing how these were revived by FUEN within the very different setting of post-war Europe. By way of conclusion, we reflect on what lessons might be learned from the past century of transnational minority activism today, at a time when growing nationalism and security concerns again threaten the entire basis of the European project.

### **‘On Their Own Behalf’: The European Nationalities Congress**

The negative view of ENC held by most historians derives largely from its origins in a prior initiative by German minority organisations in Central and Eastern Europe, which in 1922 had come together to create the *Verband der deutschen Minderheiten Europas* (Association for

German Minorities in Europe – hereafter *Verband*). Its main architect, Ewald Ammende from Estonia, soon after became instrumental in establishing the wider Congress, and served as its General Secretary from 1925 until his death in 1936. German activists would constitute by far the largest group within the Congress throughout its existence, and funding provided by the German Foreign Ministry to the *Verband* could be channelled into the wider organisation to support its activity.<sup>9</sup>

In the problematic European context bequeathed by World War I and the peace settlements, it is hardly surprising that an initiative launched on this basis met with widespread suspicion. This was especially so in Poland and other Central and East European states containing German minorities that had until recently formed part of the *Reich*. Here, any talk of minority autonomy was viewed as a likely prelude to an irredentist movement (Chu 2012: 92-95). Yet, it would be wrong to retrospectively draw a line of continuity between the foreign policy aims of Nazi Germany and those of the Weimar Republic and to assert that the Nationalities Congress was conceived of by its founders solely as a vehicle for revisionist German nationalism. For Ammende, the *Verband* was always envisaged as a pilot project for a wider endeavour – to create a forum within which all of Europe’s national minorities could explore their common interests, share experiences and develop perspectives on minority rights “from below”.<sup>10</sup> This goal was directly inspired by the new opportunity structures arising from the Minority Treaties and LoN protection procedures, which provided the main focus and institutional framework for ENC activism. While a majority of delegates represented German and Jewish organisations,<sup>11</sup> ENC bore the hallmarks of a genuinely multi-ethnic coalition during its early years.<sup>12</sup>

Moreover, while some of the German representatives were undoubtedly motivated by pragmatic considerations, the most influential among them did not place German interests above those of other minorities. Here, particular mention should be made of the ENC co-



founder, Latvian-German Paul Schiemann, who was later dubbed the “thinker of the European minorities movement” (Hiden 2004: 127). Schiemann advocated freedom of ethno-cultural affiliation for each individual, as well as the right to preserve and develop the chosen culture in association with others. He saw no inherent contradiction between identification with a particular ethno-cultural community and belonging to an overarching, *state* community, the needs of which had to take precedence.<sup>13</sup> What Schiemann rejected was the nation-state model predicated on congruence between national and political boundaries; instead, he re-conceptualised the state as a “*shared* territorial space” inhabited by autonomously organised ethno-national communities. Thus, Schiemann vociferously denounced Nazism from its very inception, seeing it as completely at odds with his own advocacy of limiting the absolute sovereignty of states in the interests of building a future “United States of Europe”. Nobody, according to Schiemann, was as committed to the European project and the elimination of war as national minorities, who were “good Europeans because of their fate” (Hiden 2004: 225).

The universalism of Schiemann’s vision was reflected in the founding principles of both the *Verband* and ENC. The former, for instance, explicitly forbade any discussion of border revisions, while requiring participants to declare loyalty to their states of residence, and stipulating that the connection between German minorities and the German state that the *Verband* intended to foster was exclusively cultural and without any political connotations. Similarly, ENC followed strict rules of engagement during its sessions: discussion was limited to general principles of concern to all minorities; participants were required to declare loyalty to their countries of residence; and any accusations directed at individual governments were prohibited.<sup>14</sup>

In sum, ENC aimed at giving agency and voice to the minorities themselves. The German activists meeting in Geneva were working “on their own behalf”, to promote their own interests rather than those of their “external homeland” (Housden 2014). Revealingly, the

establishment of ENC was at first actively opposed by German diplomats, who, anxious to smooth the way for Germany's entry into the LoN, feared that a grassroots initiative might cause problems. They soon changed their minds, realising that the key founders of ENC were not in the least inclined towards Pan-Germanism, which would also be kept in check by the other ethnic groups present.<sup>15</sup> This change of attitude can be seen partly as pragmatic, in so far as Germany had realised the potential advantages of working with an organisation claiming to speak for 40 million Europeans belonging to national minorities, with ethnic Germans at the helm. The fact remains, however, that in the late 1920s, there was no contradiction between the goals of ENC and those of a German state seeking to re-join the international community via the LoN.

While the ENC delegates assembled in Geneva expressed their commitment to working with the League, their experiences at home had taught them that its vision of minority rights was ill-suited to the culturally pluralistic environment they lived in.<sup>16</sup> The Minority Treaties, for instance, did not provide for any meaningful minority self-governance or voice in cultural affairs. Minorities' fears that the state structures put in place by the Treaties would result in forcible assimilation were hardly assuaged by statements from within the LoN portraying recognition for minority cultures as merely a transitional phase on the road to constructing more "complete" nation-states patterned on those in Western Europe (Smith & Hiden 2012: 22). This approach was also reflected in the LoN minority protection procedures, which "scrupulously respected and safeguarded" the sovereignty of states belonging to the organisation (Crols 2005: 188).

To remedy these perceived shortcomings, ENC called for the creation of a Standing Committee of Minorities at the League, and the replacement of the existing Minority Treaties by a genuinely pan-European guarantee of minority rights.<sup>17</sup> This was to be based on the model of non-territorial cultural autonomy (NTA) devised by the Austrian Social Democrats at the

turn of the 20<sup>th</sup> century. Carried through World War I via the advocacy of transnational organisations such as the Committee of Jewish Delegations and the Central Organisation for a Durable Peace, this model later provided the basis for a unique law on minority cultural self-government adopted in Estonia in 1925 and promptly implemented by its German and Jewish minorities (Smith 2005: 217). For the Estonian-German Ammende (and his fellow activists Paul Schiemann and Max Laserson from neighbouring Latvia), NTA provided an obvious platform for ENC: as well as challenging divisive nationalist claims to exclusive ownership of particular territories by a single ethno-cultural group, it also helped dispel suspicions that minority autonomy would undermine the sovereignty and territorial integrity of states (Ammende 1925, Germane 2013, 2017).

Despite Ammende and Schiemann's standing within ENC, uniting the disparate groups represented there behind a shared platform proved difficult, if not impossible. Ammende and Schiemann's advocacy of NTA reflected their belonging to the small and territorially dispersed Baltic German community. In this, they found support from Jewish minority spokesmen, but less from Sudeten Germans, who, as a large and closely settled group, favoured territorial autonomy.<sup>18</sup> It is therefore significant that an initial ENC agenda driven by Baltic German *Auslandsdeutschen* (ethnic Germans inhabiting states far removed from Germany itself) did not always accord with the perspectives of *Grenzlanddeutsch* communities living compactly and contiguously to the German *Reich* - the Sudeten Germans, but also the Germans in the Polish Corridor. Even if the leaders of these communities eschewed active consideration of border revision during the 1920s, their advocacy of territorial autonomy was inevitably perceived as an incitement to territorial violation by new unitary states that would accept no limitation on or division of their sovereignty (See Ammende 1925; Germane 2013, 2017).

The divergent perspectives and agendas advanced by different organisations within ENC undermined its credibility in the eyes of the LoN Minority Secretariat. In a special 1931

report – commissioned after persistent lobbying from Ammende – League representative Ludvig Krabbe claimed ENC had failed to present a convincing case for applying NTA beyond Estonia. Krabbe's closing argument, that a spirit of tolerance and liberalism would hardly be encouraged by institutionalising separation between groups, signalled his principled rejection of autonomy and his continued adherence to the unitary nation-state model.<sup>19</sup>

By this time, the League, once the greatest source of hope for ENC activists, had become an object of considerable frustration. In 1928-29, statesmen in the League had taken up the minorities' case and, with Gustav Stresemann, Germany's liberal foreign minister, championing change, a special commission headed by the representative for Japan, Mineitciro Adatci, was created to investigate how to improve the system of minority protection.<sup>20</sup> However, strong opposition to changes on the part of states bound by international agreements meant that Adatci's final report 'did not make happy reading for the minorities' (Housden 2014: 206).

The LoN framework may have had more room for growth and development had it not been for the deeply problematic overall international environment bequeathed by the post-World War I peace settlements; these in fact provided no firm basis for lasting stability in Europe, and the limited progress achieved towards this end during the mid-late 1920s was quickly derailed following the onset of the Great Depression in 1929. In this context, the task of building a functioning transnational minority coalition through the Congress was further complicated by inter-state disputes. One factor especially detrimental to this aim was the friction between Germany and Poland, which was at the root of a decision by all Polish minority representatives to leave the Congress in 1927.<sup>21</sup>

This meant that the ENC leader Ammende was required to swing not just two ways, i.e. between the interests of German minorities within the *Verband* and those of other European

minorities, but three: he also had to balance the interests of the German state, while at the same time accounting for the interests of other states, some of them hostile to Germany. This extremely complicated situation was further compounded by different interests cutting across and through different national minority groups. Following the LoN's refusal to reform its protection procedures in 1929, German minorities began to think less in terms of international solutions to the minority question and more in terms of national, partial and partisan solutions. Hence, they increasingly looked to the German state for patronage – a trend that proved disastrous given the death of Stresemann in 1929 and the gradual rise of National Socialism.<sup>22</sup>

Once Hitler came to power in January 1933, German minorities only experienced heightened pressure to conform to German state policy. This spelled an end to any lingering hopes that ENC might become an effective and independent non-governmental forum representing all European minorities (Housden 2014; Neseemann 2007). Matters reached crisis point at the ENC annual meeting in September that same year. With anti-Semitic persecution already being unleashed in Germany, Jewish minority leaders called upon ENC to break with precedent and issue an explicit condemnation of the Nazi regime and its policies. Despite finding some support amongst non-German representatives (most notably ethnic Hungarians), this demand was not accepted. In light of this, Jewish representatives refused to attend any further ENC meetings of the Congress,<sup>23</sup> while Schiemann also broke with the organisation as well as with the *Verband*. Although ENC would still convene until 1938, it *de facto* became a front organisation for the *Verband*, where, by the mid-1930s, the previous Baltic German leadership had given way to dominance by Sudeten Germans already firmly under the sway of Nazism.<sup>24</sup>

There are many reasons why ENC failed to deliver upon the aspirations it had set in 1925. The diverse array of minorities represented, coupled with the competing interests found within each separate minority “field”, made it difficult to attain consensus on anything more

than the most general principles. This was compounded by the asymmetry between a “strong” German minority grouping backed by an external homeland and smaller, less organised and less well-resourced groups that often felt they were simply being “pulled along” by German interests.<sup>25</sup> The organisation’s growing dependence on Germany has – unsurprisingly – formed a central focus for most historians who have written on the topic. Yet, while this dependence would fatally undermine the original ideals of ENC once the Nazis came to power, it did not in itself prejudice the integrity and autonomy of the minorities movement during 1926-1932, when Germany was working within the framework of the LoN and (under Stresemann in particular) used its weight to ensure that *all* minorities got “a good hearing” (Janowsky 1945).

The overall failure of the international minority rights movement during this period is inseparable from the inadequacies of the LoN framework and – by extension - the overall fragility of interwar international environment that was still dominated by the sovereign nation-state. The continued inter-state disputes that so undermined the League also left their mark on ENC, as did the tendency of individual states to exploit divisions among minorities by adopting restrictive measures toward some communities (or factions within them), whilst treating others preferentially.<sup>26</sup> While the Minority Treaties and the LoN created a structure of opportunity for the advancement of minority causes, this rested on shaky foundations. In this situation, the limited (and unevenly distributed) resources available to minorities invited undue influence by governments increasingly committed to defending the interests of “their own”.

### **The Federal Union of European Nationalities: Against the Grain**

Although the failure of the LoN minority protection system was only one of the many factors that contributed to the start of World War II, the conflict served to bring the entire concept of minority rights into disrepute (Claude 1955: 108). The designers of the post-war world thus contrived – as Hanna Arendt had suggested already in 1940 - to “throw the baby out with the bathwater”.<sup>27</sup> Blueprints for the post-bellum European and global order had initially included various proposals on improving the League’s internationalised minority rights regime.<sup>28</sup> Considerations of *Realpolitik*, however, ultimately prevailed. With the Allies keen to discard a minority rights doctrine that infringed on state sovereignty, the principal international legal documents that emerged from the war, such as the Charter of the United Nations (1945), the Universal Declaration of Human Rights (1948), and The European Convention on Human Rights (1953) referred only to individual human rights, including the right to non-discrimination on ethnic grounds (Mazower 2004).

While minority issues did not magically disappear, they were *de facto* de-internationalised and relegated back to nation-states, which employed, in their solution, a combination of population transfers and both bilateral and unilateral agreements. Most notable amongst the latter were the autonomous rights granted to German-speakers in South Tyrol under the 1946 Gruber-De Gasperi Agreement, and the set of arrangements in the Danish-German borderlands later formalised by the Bonn-Copenhagen declarations of 1955. Both of these cases had the important role of demonstrating that ethno-territorial disputes could be accommodated through bilateral treaties.<sup>29</sup> It is no coincidence that actors from the two regions concerned would become instrumental in the establishment and development of FUEN.

More broadly, the end of the war brought forth – at least in Western Europe - a shared commitment to rebuilding a shattered continent on democratic foundations, as embodied by the establishment of the Council of Europe in 1949. The subsequent foundation of the European Community during the 1950s was also widely understood as signalling a recognition that the

indivisibly sovereign nation-state had had its day and that a new approach based on supranational integration coupled with administrative decentralisation within states was required.

These developments provided the formative context for FUEN, which emerged out of a Congress of European Regions held in Paris in April 1949 under the presidency of Henri Brugmans, head of the Union of European Federation (est. 1946) and Vice President of the European Movement. Initiated by French federalists, the Congress was not concerned with minority rights *per se*, but sought rather to promote regions and communities as the building blocks of a new, decentralised Europe. The delegates nevertheless included representatives both of regions (e.g. Bavaria, Baden) and ethnic communities, (e.g. Bretons, Basques and Catalans). The leading figures at the Congress came from diverse political backgrounds: from the left-oriented “unrelenting federalist” Italian Altiero Spinelli, who would later become widely regarded as one of the founding fathers of the European Union, to the Danish conservative politician and later Foreign Minister, Ole Bjorn Kraft. The federalist Joseph Martray from Brittany was elected as Secretary General. Federalists and minorities had one important agenda in common: both aimed at bypassing the constraints of the nation-state within a new European political order.

A second gathering, held in Versailles in November 1949, was correspondingly entitled the Second Congress of European *Minorities* and Regions. But, while the final resolutions of this meeting reflected the views of both constituencies<sup>30</sup>, it also underlined that those with a specific interest in minority rights did not always see eye-to-eye with regionalists and federalists.<sup>31</sup> Whereas minorities’ keenest interests were in protection under international law and the issue of self-determination, the federalists largely concentrated on European decentralisation, above all economic. In the end, the 2<sup>nd</sup> Congress resulted in the formation of two organisations: a Federal Union of European Minorities and Regions, and a Federal Council



of European Minorities and Regions; the two, however, remained closely linked and Martray retained the position of Secretary General in both.

Minorities and federalists were unanimous in professing their dedication to the idea of European unity. In Martray's words: "Our aim is not to divide Europe still further, but to create a united Europe on Federal principles. In this task the small people have a special part to play, as they are more sensitive than the great centralised states to the idea of European Unity" (Kühl 2000: 25). Accordingly, Martray and his colleagues began to lobby the newly-formed Council of Europe, seeking consultative status and the addition of specific minority rights clauses to the 1950 European Convention of Human Rights.<sup>32</sup> They could also see the obvious applicability of the regional framework for meeting the requirement of national minorities where these constituted a local majority within a particular sub-state region, with South Tyrol providing a working template. When it came to more territorially dispersed minorities, the arrangements emerging in the Danish-German borderlands also offered a more promising way forward.

The Danish minority in South Schleswig indeed proved pivotal both in changing the focus of the organisation from regionalist to minority issues and in shaping its general guiding principles. The decisive shift came at FUEN's third Congress, held in Copenhagen in 1951. According to Kühl, "the issue of the Danes in Germany was at that time of great interest in Danish public opinion", and "without the active and high-level participation of the leaders of the Danish minority, the congress would have been a failure from the beginning" (Kühl 2000: 37). As a result, minority representatives dominated the Congress, with the regionalist founding fathers notably absent (Kühl 2000: 40). A special commission tasked with exploring the Schleswig Question gave rise to a resolution deemed applicable to all European minorities. These included freedom of conscience, the right of parents to decide for their children, the right to free speech, and the right to self-determination (hitherto considered a taboo by the Congress'

leaders). The resolution also demanded the creation of a European Court to resolve disputes between states and their minorities, to which not only states, but also individuals, groups and organisations would have the right to appeal.<sup>33</sup>

The Third Congress heralded a period of Danish minority leadership within FUEN that lasted until the mid-1980s. The close connection to the main Danish minority organisation *Sydlesvigsk Forening* (South-Schleswig Association), it is said, “kept the Union going” during the difficult years prior to its official recognition by European structures (Kühl 2000: 103). The prominence of the “Danish question” on the FUEN agenda, despite the presence of much larger minorities such as the West Frisians, Bretons, Catalans, Basques and Welsh, was particularly striking. In 1951 Martray resigned as secretary general of the Federal Council, and was replaced by the Dane Povl Skadegård, upon whose initiative the Council and the Union were merged to form the Federal Union of European Nationalities and Regions (FUENR). Although the interests of the regions hardly figured any longer, these would be nominally present until the 6<sup>th</sup> Congress in Austria in 1956, when FUENR became FUEN.

The Council of Europe offered at least some initial encouragement to FUEN, providing Skadegård with CHF 300,000 to support a fact-finding mission around Europe in 1954-55. Skadegård succeeded in creating a network of contacts among different ethnic groups and widening FUEN membership, but the ultimate aim of building a case for a European Convention on Minority Protection remained unrealised (Kühl 2000: 68). Certainly at this time, FUEN’s emphasis on the collective rights of *nationalities* continued to be viewed by many Council of Europe member states as anachronistic and a reminder of a European past best forgotten.

Such misgivings were heightened by FUEN’s admittance, during the 1950s, of the organisation representing Sudeten Germans expelled from Czechoslovakia after 1945, and by

the participation within it of individuals previously associated with the development of particularistic *völkisch* German nationalism during the inter-war period. The latter included the Austrian academic and former Nazi Party member Theodor Veiter. This German presence strengthened perceived links to the pre-war Nationalities Congress, apparent not least in the decision to present FUEN's new journal *Europa Ethnica* (launched in 1957) as the successor to the former *Verband* publication *Nation und Staat* (1927-1944).<sup>34</sup>

This continuity element is central to the arguments of those who have branded FUEN a 'pro-Nazi' organisation.<sup>35</sup> However, the archives reveal that the first editor of *Europa Ethnica* was in fact Waldemar Quaiser, a Sudeten German Social Democrat active in the pre-war anti-Nazi resistance who had spent 1939-45 in Sachsenhausen Concentration Camp. In 1936, Quaiser joined the *Deutscher Verband zur nationalen Befriedigung Europas*, a 'democratic minority-association' established in Vienna by Paul Schiemann – "an almost unique personality with a rare political *Fingerspitzengefühl* and harmonious conception of *Humanitas*".<sup>36</sup> Even these credentials did not ease the misgivings of the "pro-European internationalist" Skadegård (Kühl 2000: 83), who chided the editor for his undue emphasis on and polemical stance regarding German minorities in Eastern Europe.<sup>37</sup> Referring to the pro-Nazi orientation of *Nation und Staat* during the 1930s, Skadegård (quite literally) underlined that "it would represent the failure of our efforts if it were not now made clear that, in this respect, the new journal has nothing to do with the old times".<sup>38</sup>

For Skadegård, it seems, the virulent anti-communism expressed by Quaiser, Veiter and others was at odds with his goal of achieving constructive working relationship with regimes behind the Iron Curtain, the better to support and engage with minorities living in these countries (ironically, this stance meant that FUEN was, on multiple occasions, also accused of being pro-Communist in orientation).<sup>39</sup> At the same time, the Secretary General clearly also entertained hopes of obtaining financial support for FUEN's activities from a (decidedly wary

and unforthcoming) federal government in Germany, and did not wish to be associated with activities that might be construed as going against German state interests.<sup>40</sup> For all of this caution, FUEN was, inevitably, caught in the crosshairs of Cold War propaganda. At the time of the 6<sup>th</sup> FUEN Congress held in 1956 in Austria's Slovene minority-inhabited region of Carinthia, for instance, a Klagenfurt-based newspaper *Slovenski Vestnik* questioned the organisation's financial independence, while the Ljubljana-based *Slovenski Poročevalec* intimated that it served as a cover for 'former Nazis and Fascists'.<sup>41</sup>

Over time, however, the environment in Western Europe began to appear more propitious to FUEN's goals, as states such as Belgium and Spain took steps to accommodate "ethno-regionalist" movements within their borders. Other governments, however, remained strongly resistant to acknowledging linguistic and cultural diversity, and fully four decades would elapse before the organisation realised its founding aim of attaining consultative status at the CoE. During these years, FUEN remained very much on the European fringe, with few resources of its own and only limited structures of opportunity upon which it could draw. Also, while Veiter doubtless entertained his own ambitions in relation to the organisation, his 1957 dismissal of FUEN's leadership as "dilletantish"<sup>42</sup> perhaps carries some weight. This is especially so if one considers the prominence quickly attained by Minority Rights Group (MRG) International following its establishment in 1969. Unlike FUEN, arguably a true grassroots minority organisation, MRG claims to speak "on behalf of" rather than "for" minorities. Its regular expert reports and policy briefings nevertheless lent it a degree of visibility that FUEN manifestly lacked.

In the course of its existence, FUEN has also had to compete for attention with language-advocacy organisations, such as the International Association for the Defence of Menaced Languages and Cultures, based in Belgium, and the Dublin-based European Bureau of Lesser Used Languages (EBLUL). Unlike FUEN, EBLUL received not only recognition but

also permanent funding from the EEC.<sup>43</sup> Claims limited to the protection of minority languages (especially smaller ones in danger of extinction) were, it seems, far more palatable to European institutions. This in turn suggests that the latter were still wedded to “representation of ethno-cultural differences within a nation as relatively superficial variations” rather than espousing the more substantial agenda of self-determination advanced by FUEN (Roshwald 2007: 367).

The very fact that FUEN maintained its existence throughout the difficult post-war decades points to the continued existence of minority communities aspiring to greater recognition and self-determination. Nevertheless, by the end of the 1980s, the Union could count on no more than 25 full and affiliate member organisations, nearly all of which spoke on behalf of minority communities in Western Europe. The core of active members was smaller still, and drawn mainly from South Tyrol and the Danish-German border region. When the long-cherished (and hard-fought for) goal of consultative status was finally realised in January 1989, FUEN had by this point – in Kühl’s words – an “old and tired face” (Kühl 2000: 106).

Just a few months later, however, the organisation’s fortunes were boosted by the demise of communist regimes in Central and Eastern Europe. This paved the way for a revival of minority claims within the region as well as new contacts across the former West-East divide, leading to a doubling of FUEN’s membership within a decade.<sup>44</sup> This expansion not only significantly widened FUEN’s agenda and mandate, but also reconfigured its relationship with European structures. A fringe organisation representing peripheral ethnic groups was transformed into a pan-European umbrella organisation for minorities, making it much harder to ignore.

More significantly, the proliferation of ethnic conflict following the collapse of the Communist bloc brought the internationalisation of minority rights back onto the European political agenda. This was signalled by the CSCE Charter of Paris for a New Europe in

November 1990 and the 1991 follow-up report of the CSCE Meeting of Experts on National Minorities, which discussed proposals put forward by FUEN and announced that “issues concerning national minorities, as well as compliance with international obligations and commitments concerning the rights of persons belonging to them, are matters of legitimate international concern and consequently do not constitute exclusively an internal affair of the respective State”.<sup>45</sup> The CSCE Copenhagen Document of 1990 introduced detailed provisions for national minorities, setting the stage for most of the international legal instruments adopted since.

For many nascent Eastern European minority communities, FUEN became a first point of contact with the wider world; ironically, after having been shunned by the EU institutions for decades, FUEN was now perceived – by national governments in Eastern Europe – as a kind of EU proxy. For example, FUEN has been a long-term advocate for the rights of Crimean Tatars, whose representative body, the *Mejlis*, is among the Union’s members. FUEN’s 1996 fact-finding mission to Crimea and ensuing recommendations, it is argued, were important in signalling to the Ukrainian authorities “the growing presence of the Crimean Tatars on the international arena” (Stewart 2005: 205-206).<sup>46</sup>

FUEN also claims to have had a hand in the development of the 1992 Council of Europe’s European Charter for Regional and Minority Languages (ECRML) and its 1995 FCNM, which incorporates many of the points made in FUEN’s own Cottbus Declaration of 1992 (Hansen 2009: 5). FUEN’s former chairman, however, characterised both ECRML and FCNM as “light products” that did not impose binding international legal obligations upon states. Similarly, the EU Copenhagen Criteria – while welcome –were open to the same charge of double standards levelled at the minority treaties between the wars, while no effective mechanisms were put in place to enforce them post-accession. Subsequent references to minority rights in the EU Lisbon Treaty and the European Charter for Fundamental Rights and Freedoms, meanwhile,

have yet to acquire substance (Hansen 2009: 4-5). Such a view informs FUEN's continued vigorous lobbying efforts, as seen most recently in its ongoing citizens' initiative for a Minority Safepack.

## **Conclusions**

This article has drawn on archival resources to give a fuller picture of the background to current transnational minority rights activism in Europe, linking this to broader academic and policy debates on a European 'minority question' which, despite frequent claims to the opposite, has never quite gone away. In so doing, it offers a more nuanced appraisal of a field of transnational minority action which, if considered at all, is generally greeted with suspicion.

Today's Federal Union of European Nationalities has, since its inception, framed the 'minority question' as a question of democratisation, decentralisation and finding an optimum balance between the identity-based claims of ethnic groups and the sovereignty, stability and integrity of nation-states. Such a balance, it argues, can only be achieved through concerted international action within the framework of the European integration processes that inspired the creation of FUEN in the late 1940s. In the past three decades, at least, FUEN has done much to gain acceptance and credibility as an interlocutor in the international minority rights field. But, as the current Minority Safepack Initiative demonstrates, the balance of power between state and minority actors remains firmly weighted in favour of the former, while the claims of the latter are still often viewed through the prism of security, as potentially disruptive to peace, stability and state integrity.

Those who persistently securitise the 'minority question' take their cue from the 1930s, when a previous transnational initiative originating from civil society – the European Nationalities Congress – was subverted by the 'homeland nationalism' of the German state.

FUEN has since suffered by association, being painted at various points in its almost 70-year history as no more than a cover organization for revisionist German nationalism. Our analysis has argued that the true line of continuity between the Congress and FUEN is to be found in the 1920s and the ideas of Schiemann, Laserson and other democratically-minded activists of the period. Like FUEN, the Nationalities Congress of the late 1920s was committed to working democratically within existing state structures to ensure a fuller voice and participation for minorities in decision-making related to their affairs.

While the inter-war discourse of minority rights ultimately fell prey to manipulation by state-directed German nationalism, it would be wrong to conflate the policies of an aggressive and expansionist Nazi dictatorship with those of the democratic Weimar Republic. In the 1920s, there was nothing inherently sinister or threatening in efforts by the German state to reach out and support German minority communities in East-Central Europe. To understand why ENC increasingly looked to Germany, moreover, due consideration has to be given to the deficiencies of the LoN minority protection system and to an overall international environment in which transnational actors were never ‘likely to overcome hurdles otherwise posed by state-dominated domestic structures’ (Risse-Kappen 1995: 6-7).

By contrast, FUEN emerged within what was, by comparison, a more geopolitically stable context, and subsequently evolved against the background of a progressive consolidation of liberal democracy in Western Europe. In this setting, few eyebrows have been raised by Germany’s post-1989 efforts to engage with the ‘residual, though still large’ German minority in Eastern Europe.<sup>47</sup> By the same token, no-one would look askance at Denmark’s support for the Danish minority in South Schleswig, which, anchored in Bonn-Copenhagen Declarations, proved so instrumental in the development of FUEN during the 1950s. The processes of European integration that began after 1945 also provided FUEN with opportunity structures of which inter-war Congress activists could only dream, encouraging decentralisation within



states and opening up new institutional arenas within which social movements can interact transnationally and pursue common goals.<sup>48</sup>

For all this, it took FUEN decades of perseverance before its efforts were finally rewarded by the participatory and consultative status in Council of Europe, United Nations, and the Fundamental Rights Platform. Moreover, even now, ‘participation’ should not be taken to imply effective ‘voice’. Today, growing pressures for a “renationalisation of the continent” in the face of economic crisis and burgeoning Euroscepticism stand to increase rather than diminish the securitization of ethnic diversity. This is all the more so given Russia’s annexation of Crimea (condemned by FUEN) and deployment of a “kin-state” nationalism that aspires to “diasporise” minorities and instrumentalise ethnicity in the interests of state power and domestic political legitimacy of ruling elites.<sup>49</sup> The current Minority Safepack Initiative will perhaps first and foremost serve as a test of FUEN’s organisational capacities and its representativeness in the eyes of the communities it purports to speak for. However, if the Initiative does go forward, it will also be a proving stone for whether European institutions are as ready for more direct input from minority organisations as they claim to be. Our analysis suggests that the longer-term sustainability of the European project would be best served by the former. For, the experience of ENC tells us that trans-ethnic coalition building in the interests of peace and democracy needs to be underpinned by credible support from non-partisan, supranational players – something that both the Council of Europe and the European Union have always aspired to be.

## Notes

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<sup>1</sup> <http://ec.europa.eu/citizens-initiative/public/initiatives/open>. Accessed 22 July 2017.

<sup>2</sup> Exceptions are Said and Simmons *et al.* 1976 and Stack *et al.* 1981, published as transnationalism was making its first inroads into social sciences, and, more recently, Gupta 2008 and Chen 2009.

<sup>3</sup> As we will see, this thinking underpinned the European federalist projects so popular in Western Europe during and immediately after World War II (albeit with exceptions: Italy, for example, granted autonomy powers in cultural and linguistic matters to five federal regions). Importantly, the “withering away” of ethnic-based claims,

if not the accompanying federalist idea, was an understanding shared by the Soviet-sponsored regimes in Eastern Europe.

<sup>4</sup> When we speak of ‘minorities’ in this article, we are referring to non-dominant *ethnic communities* (“[groups] of persons ... who think of themselves as collectively possessing a separate identity based on ... shared cultural characteristics, usually language or religion” (Van Dyke 1995: 32) that advance claims predicated on continued long-term reproduction of that identity and the achievement of rights to political representation and/or communal self-government necessary to realize this.

<sup>5</sup> The so-called Copenhagen Criteria (1993), not unlike the assymetric approach of LoN, were directed at applicant states only.

<sup>6</sup> See also Rothschild 1981: 252-258 and Csergő 2008: 397.

<sup>7</sup> FUEN argues that minorities, if treated as equal partners, can contribute significantly to European integration by “building bridges across states”. See: ‘FUEN and its cooperation with the OSCE High Commissioner’, Press Release, 03.11.2015. At <https://www.fuen.org/news/single/article/fuen-president-hans-heinrich-hansen-in-vienna-the-basic-principles-for-successful-minority-policy-are-equality-and-genuine-dialogue-among-equals/> . Accessed 28 July 2016.

<sup>8</sup> Hans Heinrich Hansen: Opening Speech for the FUEN Congress 08.05.2014, Hotel des Nordens, FL. At [https://www.fuen.org/fileadmin/user\\_upload/congress\\_2014/fuen-congress-2014-20140506.Rede\\_2-Kongressero\\_ffnung\\_DRUCK\\_fuers\\_Publikum\\_EN.pdf](https://www.fuen.org/fileadmin/user_upload/congress_2014/fuen-congress-2014-20140506.Rede_2-Kongressero_ffnung_DRUCK_fuers_Publikum_EN.pdf) . Accessed 28 July 2016.

<sup>9</sup> The second largest was the Jewish delegation – together, these two minorities supplied around half of the delegates who gathered annually in Geneva following the inaugural Congress meeting in 1925. See Bamberger 2000.

<sup>10</sup> ‘Arbeitsprogramm des Vorstandes des Verbandes’, Undated typescript. *Rossiiskii Gosudarstvenii Voennyi Arkhiv*, F.1502, O.1, D.61.

<sup>11</sup> German and Jewish minorities also closely cooperated at the national level in many Central and Eastern European countries; this ‘*Distanzliebe*’, as Max Brod ironically termed it (Mendelsohn 1983: 136), was nevertheless in itself a notable instance of trans-ethnic cooperation.

<sup>12</sup> The 219 delegates (including six observers and a representative ‘without a country’, Leo Motzkin of the *Comité des Délégations Juives*) that gathered during 1925-1937 hailed from Poland (51 delegates), Romania (29), Czechoslovakia (29), Spain (23), Germany (13), Yugoslavia (12), Latvia (12), Estonia (11), Austria (11), Italy (9), Hungary (9), Lithuania (4), Bulgaria (93), Belgium (1), and Denmark (1). Together they represented 20 minority groups: Germans, Jews, Catalans, Ukrainians, Hungarians, Russians, Poles, Czechs, Bulgarians, Basques, Lithuanians, Slovenians, Sorbs, Belarussians, Danes, Greeks, Swedes, Galicians, Croats, and Romanians. (Bamberger 2000: 11, 118)

<sup>13</sup> P. Schiemann, ‘Volksgemeinschaft und Staatsgemeinschaft’, *Nation und Staat*, (September 1927), pp. 21–41. Schiemann’s thinking is summed up in his maxim “politics must be for the good of the place where one resides – any diversion to other ends is suicide” (Hiden 2004: 144). This chillingly anticipated the eventual fate of German minorities after their movement came under the sway of Nazism and its destructive projects of creating a Greater Reich and *Lebensraum*.

<sup>14</sup> On the *Verband*, see: Eesti Rahvusrhhiiv (ERA) f.1000, n.1, s.137, Deutsch-Baltische Partei in Estland. Organisation und Schutz der nationalen Minderheiten. Ammende to Koch 26 April 1922; On ENC, see: The Congress of the European National Minorities 1938, 10-11.

<sup>15</sup> ‘Das Bestrebung der Deutschen auf dem Genfer Minoritätenkongress vereitelt’. R60463. Foreign Ministry Archive, Berlin.

<sup>16</sup> A Congress resolution from 1928 stated that ‘thanks to the methods applied up to now by the League of Nations for the solution of the minority problem, nothing significant has been achieved.’ Sitzungbericht, 1928.

<sup>17</sup> ‘Denkschrift des Ausschusses der Europäischen Nationalitätenkongresse’, *Nation und Staat*, May 1929; ‘Nationalitätenkongress und Völkerbundrat’, *Revaler Bote*, 25 April 1929.

<sup>18</sup> The Sudeten Germans joined the Congress in 1929. By 1933 Ammende was declaring ‘We must enable compactly settled groups to be able to administer themselves....’, since ‘in certain areas of Europe self-administration is necessary and achievable without being the first step towards separation.’ Sitzungbericht des Kongresses der organisierten nationalen Gruppen in den Staaten Europas. Bern 1 bis 19 September 1933. Vienna-Leipzig: Wilhelm Braumüller, 1934, pp. 40-42.

<sup>19</sup> L. Krabbe, “L’Autonomie culturelle comme solution du problème des minorités.” Note de M. Krabbe au date du 18 nov. 1931. League of Nations Archive, Geneva, R.2175-4-32835.

<sup>20</sup> Annex 1140. Protection of Minorities. Report of the Committee instituted by the Council Resolution of March 7<sup>th</sup> 1929. League of Nations Official Journal (July 1929), pp. 1136-51.

<sup>21</sup> P. Schiemann, ‘Die Spaltung im Nationalitätenkongress’, *Nation und Staat* 1, 3 1927/8, pp.158-70.

<sup>22</sup> See for example the confidential memorandum by Roediger of 12 January 1931. R60528. Political Archive of the Foreign Ministry, Berlin.

<sup>23</sup> 'Jewish Delegation Adamant in Its Refusal to Join the National Minorities Congress', *Jewish Daily Bulletin*, 19 September 1933.

<sup>24</sup> The rise of the Sudeten Germans became critical at the Gablonz meeting of the Verband in 1935. See the diplomatic report: 3 September 1935, Deutsche Gesandtschaft, Prague. R 60496. Political Archive of the Foreign Ministry, Berlin.

<sup>25</sup> 'Soveshchanie predstavitelei russkikh men'shinstv' v Rige', *Segodnia* 232, 22 August 1929.

<sup>26</sup> As observed by Laserson, "the link between the outer world and the Minorities did not serve to make them more popular" within their respective countries. International activism by minority leaders thus more often than not led to repercussions at home (Laserson 1971, 124).

<sup>27</sup> In a letter written that year, Arendt said she saw little prospect that the conflict would herald "any improvement" or "better guarantees" regarding minority rights. (Quote from Kohn and Feldman 2007: 129)

<sup>28</sup> See, for example, Janowski 1943 and Laserson 1940, 1944.

<sup>29</sup> Bilateral treaties that contained minority provisions were also widely employed during the interwar period; the majority of those agreements, however, were supplementary to the Minority Treaties, and a small number were also concluded with the cooperation of the League of Nations. (see Robinson *et al.* 1943)

<sup>30</sup> IIème Congrès International des Communautés et Régions Européennes. Projet de motion politique et d'organisation. DCS I53-3.

<sup>31</sup> Joseph Martray 'Vers "L'Helvétisation" de l'Europe', *Le Bulletin Fédéraliste*, 14, Décembre 1949; in this regard, see also Povl Skadegård's letter to Jean van Crombrugge, 2 August 1953, DCS I53-5.

<sup>32</sup> In 1955 FUEN also applied for consultative status at the United Nations. DCS I53-16-1.

<sup>33</sup> Troisième Congrès International des Communautés et Régions Européennes. 8-10 juin 1951. DCS I53-2-1.

The European Convention on Human Rights, which established the European Court of Human Rights, was adopted in 1950; the European Commission of Human Rights that was created in May 1954 for the purpose of handling applications to the Court initially accepted only inter-state applications; the right to individual application would not become effective until July 1955 due to the resistance on the part of nation-states.

<sup>34</sup> "From *Nation und Staat* to *Europa Ethnica*". DCS I53-1-16-57. Salzborn (2005: 205) claims that the proposal to create a successor publication to *Nation und Staat* came from the then Austrian State Secretary for South Tyrolean Affairs, and that the title was proposed by Veiter.

<sup>35</sup> See, for instance, Salzborn (2005: 204-14).

<sup>36</sup> Declaration concerning Quaiser by E. J. Reichenberger, 1 December 1949; quote from Quaiser's letter to Skadegård, 23 August 1957. Both in DCS I53-1-16-57. Schiemann, who died in 1944 under house arrest in Nazi-occupied Riga while sheltering a young Jewish girl, was later recognized, along with his wife, by Yad Vashem as Righteous Among the Nations. (See Hiden 2004).

<sup>37</sup> Letter from Skadegård to Quaiser, 10 November 1957. DCS I53-1-16-57.

<sup>38</sup> Letter from Skadegård to Quaiser, 10 November 1957. DCS I53-1-16-57.

<sup>39</sup> Report of the Secretary General for the 6<sup>th</sup> Congress of the FUEN, Egg/Faakersee, Austria, the 17<sup>th</sup> of May 1956. DCS I53-16-1. See also 1954 letter from Helena Charles to Per Thaulow, Head of the Information Bureau on Minorities. DCB I53-1-1.

<sup>40</sup> Report of the Secretary General for the 6<sup>th</sup> Congress of the FUEN.

<sup>41</sup> Letter from Skadegård to Quaiser, 10 November 1957; see also Skadegård's letter to Wilhelm Braumüller Press, Vienna (publisher of both *Nation und Staat* and *Europa Ethnica*), 10 February 1957, and other correspondence in DCB I53-1-16-57. Also Kühl 2000: 60-62.

<sup>42</sup> Letter from Veiter to Skadegård, 7 June 1957.

<sup>43</sup> EBLUL itself ceased to exist in 2010 after its funding had been cut by the European Commission.

<sup>44</sup> The number of member organisations within FUEN grew from 41 to 75 during 1991-93. By 1998, the figure had grown to 41 full, 30 associated and 28 corresponding members, drawn from 29 different states (Kühl 2000: 112).

<sup>45</sup> 'Report on CSCE Meeting of Experts on National Minorities, Geneva 1991', part II, para 3. At <http://www.osce.org/hcnm/14588?download=true>, accessed 28 July 2016. *Four FUEN-presidents take a trip down memory lane* 2009, 10.

<sup>46</sup> FUEN, whose first Congress behind the former Iron Curtain took place in Budapest in 1991, is similarly said to have influenced Round Table discussions in Hungary on a new minorities law, and has been called a good 'civil initiative' supporting ethnic Hungarian minorities in other countries. Interviews with László Péter, Budapest, 8 September 2015 and Csaba Pakozdi, Budapest, 4 September 2015.

<sup>47</sup> Brubaker (1996: 57), noting that today's 'triangular relationship' between state, minority and 'external homeland' has a 'largely nonconflictual configuration ... [contrasting] ... sharply with the interwar period'.

<sup>48</sup> For instance, Gupta (2008: 63) highlights the key 'brokerage' role (bringing together previously unconnected actors and groups and building both horizontal and vertical partnerships) of the EU Committee of the Regions, which hosted FUEN's 60<sup>th</sup> anniversary congress in 2009.

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<sup>49</sup> Similar tendencies are evident in Hungary, which potentially complicates FUEN's work at a time when the centre of gravity of the organization has shifted eastwards and its Presidency has passed to the Hungarian minority party in Romania.

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